

The opinion in support of the decision being entered today was not written for publication in a law journal and is not binding precedent of the Board.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

Ex parte GUOQIANG XING, KENNETH D. BRENNAN  
and PING JIANG

MAILED

JAN 13 2005

U.S. PATENT AND TRADEMARK OFFICE  
BOARD OF PATENT APPEALS  
AND INTERFERENCES

Application No. 09/901,416

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received at the Board of Patent Appeals and Interferences on November 19, 2004. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner. The matters requiring attention prior to docketing are identified below.

Appellant filed Information Disclosure Statement dated August 1, 2003. It is not clear from the record that the Information Disclosure Statement has been considered or acknowledged under §§ 1.97 and 1.98. The Information Disclosure Statement needs to be considered.

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Accordingly, it is

Ordered that the application is returned to the Examiner for

1) consideration of the Information Disclosure Statement  
dated August 1, 2003;

2) written notification to the appellant regarding the  
result of the examiner's consideration, and

3) for any further action as deemed appropriate.

It is important that the Board of Patent Appeals and  
Interferences be informed promptly of any action affecting the  
appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS  
AND INTERFERENCES

  
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Application No. 09/901,416

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